

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

JEFF H. WILLIAMSON,

Plaintiff,

vs.

COUNTY OF WASHOE, et al.,

Defendant.

3:07-CV-0592-BES (VPC)

**REPORT AND RECOMMENDATION
OF U.S. MAGISTRATE JUDGE**

March 25, 2008

This Report and Recommendation is made to the Honorable Brian E. Sandoval, United States District Judge. The action was referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B). For the reason set forth below, it is recommended that plaintiff's complaint be dismissed without prejudice.

I. BACKGROUND, DISCUSSION & CONCLUSION

On January 2, 2008, the court granted plaintiff's request to proceed *in forma pauperis* (#11). Additionally, the court dismissed plaintiff's complaint without prejudice and with leave to amend. *Id.* Plaintiff was granted forty-five (45) days within which to file an amended complaint if he believed he could cure the defects of the complaint described in the court's order. *Id.* Plaintiff was cautioned that if he failed to file an amended complaint within the time allotted, the action would be dismissed. *Id.*

Plaintiff sought and was granted an extension of time to March 17, 2008 to file an amended complaint (#22). Plaintiff was again cautioned that failure to file an amended complaint would lead to his case being dismissed. *Id.*

Plaintiff failed to file an amended complaint as ordered and has not requested additional time in which to do so. Therefore, this court recommends that plaintiff's complaint be **DISMISSED** without prejudice.

1 The parties are advised:

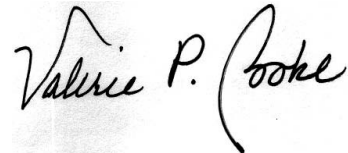
2 1. Pursuant to 28 U.S.C § 636(b)(1)(C) and Rule IB 3-2 of the Local Rules of Practice, the
3 parties may file specific written objections to this report and recommendation within ten days of
4 receipt. These objections should be entitled "Objections to Magistrate Judge's Report and
5 Recommendation" and should be accompanied by points and authorities for consideration by the
6 District Court.

7 2. This report and recommendation is not an appealable order and any notice of appeal
8 pursuant to Fed. R. App. P. 4(a)(1) should not be filed until entry of the District Court's judgment.

9 **II. RECOMMENDATION**

10 **IT IS THEREFORE RECOMMENDED** that the district court enter an order
11 **DISMISSING** plaintiff's complaint without prejudice.

12 DATED: March 25, 2008.

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14 UNITED STATES MAGISTRATE JUDGE
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